Rao Sahib M. M. Paul *(Director of Food Supplies):*

(*a*) No special license is necessary for milling paddy purchased by Government. A list of mills entrusted with the work of milling Government paddy is appended. *(Please see Appendix I)*

(*b*) No village has been separately fixed for each milling company.

EDUCATIONAL CONCESSIONS TO CHILDREN OF MILITARY EMPLOYEES—PARTICULARS REGARDING

130. Mr. C. V. Iyyu *(Kunnamkulam):* Will Government be pleased to state.—

the number of pupils and students studying in the different educational institutions in the State including the Technical, Commercial and Industrial schools in the State enjoying the educational concessions granted to children of the Military employees showing separately,

(*i*) Children of those who served in the last war and in the present war;

(*ii*) Primary, Lower Secondary, Upper Secondary, Collegiate, Technical, Commercial and Industrial Divisions;

(*iii*) Aided and Sirkar Schools;

(*iv*) The amount spent for books and fees in each account in each section or division as the case may be;

(*v*) The caste-war; and

(*vi*) Taluk-war list?

Rao Sahib I. N. Menon *(Director of Public Instruction):* The particulars are appened *(See Appendix II)*

PAZHAYANNUR POLICE—CASE AGAINST ONE SEKHARAN NAYAR

131. Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Will Government be pleased to state.—

(*a*) has the Pazhayannur Police registered a case against Mr. Sekharan Nayar, the Branch Post Master of Pazhayannur in Thulam or Vrischigam 1119;

(*b*) what is the section of the Cochin Penal Code under which the case is registered;

(*c*) is the person in question also the stamp vendor of Pazhayannur;

(*d*) has he not deposited security for the stamp vendor's work;

(*e*) is not the offence for which the case is registered a bailable offence;

(*f*) was he arrested by the Police; if so, at what time;

(*g*) if arrested was he enlarged on bail; if so, at what time;

(*h*) did not many a respectable and rich men offer himself for bail soon after the arrest; was such bail accepted when offered; if not, why?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* (*a*) Yes. In Vrischigam 1119.

(*b*) It was registered under sections 333, 428 and 484 C. P. C.

(*c*) Yes.

(*d*) No; but he has executed an agreement for the proper performance of his duties, as required by the rules.

(*e*) Yes.

(*f*) (*g*) and (*h*) No reply can be given as the matter is subjudice.

Mr. K. M. Ibrahim *(Cranganur):* Is it the view of the Government that the mention of a particular time of arrest of an accused would adversely affect the subjudice nature?

Mr. M. Sivarama Menon *(Advocate-General):* Because he may say that he was never arrested, that he was at Mangalore at that time and that he has been kidnapped.

Mr. K. Narayana Menon *(Mulakunnathukavu):* May I know whether the cards are not sent to the District Magistrate?

Mr. M. Sivarama Menon *(Advocate-General):* Yes.

Mr. K. Narayana Menon *(Mulakunnathukavu):* Are they not to be sent within 24 hours of the arrest?

Mr. M. Sivarama Menon *(Advocate-General):* Yes.

Mr. K. Narayana Menon *(Mulakunnathukavu):* Will not copies of the cards be available to the accused when applied for?

Mr. M. Sivarama Menon *(Advocate-General):* Copy applications are to be granted by the Magistrate where the card is.

Mr. K. Narayana Menon *(Mulakunnathukavu):* May I know whether copies of such cards are not available to the accused.

Mr. M. Sivarama Menon *(Advocate-General):* I think they are available.

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Mr. K. Narayana Menon *(Mulakunnathukavu):* Will not the exact hour and date be specified in the card?

Mr. M. Sivarama Menon *(Advocate-General):* It will be. But the point is whether we can give out the time, without reference to the defence of the accused in the case.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* May I know, Sir, whether, as a matter of fact, the arrested person was enlarged on bail?

Mr. M. Sivarama Menon *(Advocate-General):* Government cannot answer that question, because the accused has been charge-sheeted and it may prejudice the accused.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* May I know, Sir, how the Government says that the matter in sub-divisions (*g*) and (*h*) become sub-judice?

Mr. M. Sivarama Menon *(Advocate-General):* That is exactly what I said. If the case is that he has not been arrested, then if we say that he was released on bail, it may prejudice the accused. Why should we say that according to our case, he was released on bail? We say that he has been arrested. But he will have his own defence. He may say he was never arrested, but pretty early in the morning he was actually in a distant place.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Is it the case of the Government, Sir, that the factum of the grant of bail.....

Mr. President: Order, order. You had the answer to your question. I can't allow any further questions on this object.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* We have to bow to your ruling, Sir.

Mr. A. B. Salem *(Mattancheri):* How came it that when a bailable offence has been committed the accused was not granted bail?

Mr. President: Order, order. The answer to that question was covered by the answer already given.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* With regard to sub-division (*d*) it is stated, Sir, that he has executed an agreement as required by the rules. Is there any agreement by him in terms of money made for the performance of his duties?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* I want notice for that.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* May I know, Sir, for what the Hon'ble Member for Police wants notice?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* The information is in the Registration Department. So I want notice to get information from that Department.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* May I know, Sir, whether the answer was prepared after perusing the agreement mentioned here?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* The answer was prepared basing on the information supplied by the Registration Department.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* My question, Sir, is not which Department prepared the answer. May I know whether in framing this answer the agreement referred to in the answer was referred to by the authorities concerned.

Mr. M. Sivarama Menon *(Advocate-General):* It must have been read by the officer who supplied the answer. We require notice because the terms of the agreement have to be looked into and the agreement itself is not on the table here.

Mr. A. B. Salem *(Mattancheri):* The answer to question (c) is "yes". Was not bail offered?

Mr. M. Sivarama Menon *(Advocate-General):* That question cannot be answered because it again raises the other issue.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* May I know, Sir, how the question whether bail was offered or not, touches the matter before court?

Mr. President: The Advocate-General has already answered the question. I can't allow it to be put again.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* It is a very awkward position for the Government at any rate.

PARTICULARS OF CASES CHARGED UNDER THE DEFENCE OF INDIA ACT

132. **Mr. T. A. Ramachandra Ayyar** *(Nellayi):* Will Government be pleased to state.—

(*a*) the number of cases charged under the Defence of India Act last year; how many were convicted and how many discharged;

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